CWP No. 2133 of 2007

29.12.2007 Present: Mr. Ajay Kumar, counsel for the petitioner.

Mr. N.K.Thakur, counsel for respondent No. 1.

Mr. R.M.Bisht, DAG, for respondent No. 3.

The petitioner herein was elected as Pradhan, Gram Panchayat Polia, Tehsil Chopal, District Shimla. His election was challenged by respondent No. 1 on the ground that the parents of the petitioner had encroached upon government land. The petition was dismissed b the S.D.O. (Civil). An appeal was filed before the Appellate Authority, i.e. Deputy Commissioner, Shimla. The same was allowed and the election of the petitioner was set aside. The petitioner has challenged the said order before this court.

Mr. N.K.Thakur, Advocate, has put in appearance on behalf of respondent No. 1. Respondent No. 1 is present in person and is identified by Mr. N.K.Thakur, Advocate.

Respondent No. 1, Kuldeep Singh, son of Shri Gian Singh, resident of Village Polia, Tehsil Chopal, District Shimla has made a statement that he does not press the election petition filed by him and withdraws the same. In view of the fact that Kuldeep Singh, respondent No.1, has withdrawn the election petition itself, the order of the Deputy Commissioner, Shimla is set aside and the election petition is dismissed as having been withdrawn.

(Deepak Gupta), J.

December 29, 2007(K) (V. K. Ahuja), J.